

Application No. 10/600022
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Amendment
Attorney Docket No. S63.2B-10964-US01

Remarks

This Amendment is in response to the Office Action dated May 18, 2005. Claims 1-32 are pending in this application. Claims 21-31 have been withdrawn from consideration. The Office Action rejected claims 1-4, 7, 9-13, 20 and 32 citing 35 USC § 102(b) over Edwin et al. (US 20020095205; hereinafter “Edwin”); and rejected claims 5, 6, 8 and 14-19 citing 35 USC § 103(a) over Edwin as applied to claim 1, and further in view of any of Lombardi et al. (US 6203568), Hossainy et al. (US 6635082) or Schaldach et al. (US 20020103528).

By this Amendment, claims 1, 20 and 32 are amended. Applicants reserve the right to prosecute any cancelled subject matter in a subsequent patent application claiming priority to the immediate application. Support for the amendments may be found at least in Figures 3a-3c and in the specification at page 6, lines 9-13. No new matter has been added. Reconsideration in view of the above amendments and the following remarks is respectfully requested.

Claim Rejections

The Office Action rejected claims 1-4, 7, 9-13, 20 and 32 citing 35 USC § 102(b) over Edwin. The Office Action also rejected claims 5, 6, 8 and 14-19 citing 35 USC § 103(a) over Edwin “as applied to claim 1,” and further in view of any of Lombardi et al., Hossainy et al. or Schaldach et al.

Applicants assert that Edwin is not valid prior art to the immediate application under 35 USC § 102(b). Edwin published on July 18, 2002. The immediate application was filed on June 19, 2003. Thus, Edwin was not available “more than one year prior to the date of the application...” as required by 35 USC § 102(b), and Edwin is not prior art under 35 USC § 102(b).

Therefore, the rejections under 35 USC § 102(b), and the rejections under 35 USC § 103(a) applying Edwin “as applied to claim 1” are moot.

Applicants have further amended the independent claims, and all of the claims are believed to be patentable over the applied references. Accordingly, Applicants request withdrawal of the rejections.

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Conclusion

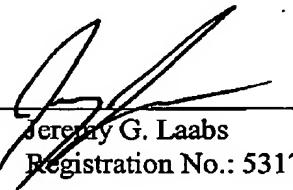
Based on at least the foregoing amendments and remarks, Applicants respectfully submit this application is in condition for allowance. Favorable consideration and prompt allowance of claims 1-20 and 32 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,

VIDAS, ARRETT & STEINKRAUS

Date: 8/11/05

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